

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

DARRELL MORRIS,)
)
Plaintiff,)
)
v.) Case No. CIV-16-1297-D
)
GOVERNOR MARY FALLIN, *et al.*,)
)
Defendants.)

ORDER

Before the Court for review is the Report and Recommendation [Doc. No. 34] issued by United States Magistrate Judge Shon T. Erwin on March 29, 2017, pursuant to 28 U.S.C. § 636(b)(1)(B)-(C). Upon initial screening of the Amended Complaint, Judge Erwin recommends in a thorough 50-page Report that certain parties and claims be dismissed but that the case should proceed on some claims. Plaintiff, who appears *pro se*, has made numerous filings within the time period for filing an objection to the Report. He has filed a Motion for Leave of Court to Amend Complaint [Doc. No. 36], Motion for Extension of Time to Object to the Report and Recommendation of All Claim Dismissals [Doc. No. 37], and a one-page “Motion Objecting to the Report and Recommendation of All Claim Dismissals” [Doc. No. 38].¹

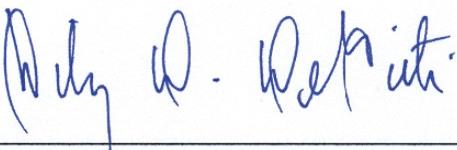
¹ Plaintiff has also filed a Request for Appointment of Counsel [Doc. No. 35], which is a renewed motion that restates reasons given in previous requests for counsel and describes problems he has encountered in pursuing his case. Judge Erwin denied Plaintiff’s prior motions without prejudice to a later request. *See Order 2/13/17* [Doc. No. 18]; *see also Order 3/3/17* [Doc. No. 26].

As a *pro se* litigant, Plaintiff is entitled to a liberal reading of his papers, but the Court cannot act as an advocate or supply factual allegations. *See Garrett v. Selby Connor Maddux & Janer*, 425 F.3d 836, 840 (10th Cir. 2005). From Plaintiff's sparse allegations and arguments, the Court understands Plaintiff's position to be that he lacks sufficient access to legal resources to address the issues raised by Judge Erwin's analysis of his pleading within the allotted time.² Upon consideration, the Court finds that Plaintiff's request for additional time to file a proper objection to the Report should be granted.

IT IS THEREFORE ORDERED that Plaintiff's Motion for Extension of Time to Object [Doc. No. 37] and his Motion Objecting to the Report and Recommendation [Doc. No. 38], which is also construed as a motion for additional time, are GRANTED. The deadline for filing an objection to the Report and Recommendation [Doc. No. 34], as specified therein, is extended to May 22, 2017.

IT IS FURTHER ORDERED that Plaintiff's Motion for Leave of Court to Amend Complaint [Doc. No. 36] is DENIED, without prejudice to a proper request if appropriate.

IT IS SO ORDERED this 2nd day of May 2017.



TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE

² Plaintiff's motion to further amend his pleading does not propose any particular amendment but simply asks for time to correct any deficiencies. This motion is patently insufficient to satisfy LCvR15.1, which requires that a proposed amendment be provided.